

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

WAG Acquisition, L.L.C.,

Plaintiff,

v.

MFCXY, Inc., *et al.*,

Defendants.

Civil Action No. 2:14-cv-03196
(ES)(MAH)

**DECLARATION OF LEONID
RADVINSKY**

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State of Illinois)

County of Cook)

LEONID RADVINSKY of full age, hereby declares as follows:

1. I am a citizen of the United States. I am a resident of Illinois, where I have lived for over twenty-five years.
2. I have never owned property in New Jersey.
3. I do not personally conduct any business in New Jersey and have no established business presence in New Jersey.
4. I do not personally operate streaming media servers, either on my own behalf or on behalf of any corporate entity.
5. I am President of MFCXY, Inc. ("MFCXY"), LRAM Company B.V. ("LRAM"), Cybertania, Inc. ("Cybertania") and Activesoft, Inc. ("Activesoft"). I have personal knowledge of the matters addressed herein.
6. MFCXY is a privately held corporation organized under the laws of the State of Illinois with its company headquarters and principal place of business in Illinois.
7. MFCXY is in the business of online entertainment.
8. MFCXY has never had offices, property or any other presence in the State of New Jersey.
9. MFCXY maintains corporate and business records.

10. MFCXY maintains its own bank accounts that are separate from the bank accounts of any other entity or person.

11. MFCXY files its own tax returns separate from the tax returns of any other entity.

12. MFCXY does not maintain any computer servers or other equipment in the State of New Jersey.

13. LRAM is a company organized under the laws of the Kingdom of the Netherlands, with its former principal place of business in the Netherlands.

14. LRAM has not been actively conducting business since 2012.

15. LRAM has never had offices, equipment or any other presence in the United States.

16. LRAM maintains its own corporate and business records.

17. LRAM maintains its own bank accounts that are separate from the bank accounts of any other entity or person.

18. LRAM files its own tax returns separate from the tax returns of any other entity.

19. LRAM does not maintain any computer servers or other equipment in the state of New Jersey.

20. Cybertania is a privately held corporation organized under the laws of the State of Illinois with its company headquarters and principal place of business in Illinois.

21. Cybertania is in the business of online entertainment.

22. Cybertania has never had offices, property or any other presence in the State of New Jersey.

23. Cybertania maintains corporate and business records.

24. Cybertania maintains its own bank accounts that are separate from the bank accounts of any other entity or person.

25. Cybertania files its own tax returns separate from the tax returns of any other entity.

26. Cybertania does not maintain any computer servers or other equipment in the State of New Jersey.

27. Activesoft is a privately held corporation organized under the laws of the State of Illinois with its company headquarters and principal place of business in Illinois.

28. Activesoft is in the business of online entertainment.

29. Activesoft has never had offices, property or any other presence in the State of New Jersey.

30. Activesoft maintains corporate and business records.

31. Activesoft maintains its own bank accounts that are separate from the bank accounts of any other entity or person.

32. Activesoft files its own tax returns separate from the tax returns of any other entity.

33. Activesoft does not maintain any computer servers or other equipment in the State of New Jersey.

34. Neither MFCXY, LRAM, Cybertania, Activesoft, nor any other entity that I am president of, officer for, or have any ownership stake in, including the Defendants in the case styled *WAG Acquisition, L.L.C. v. MFCXY, Inc.*, Civil Action No. 2:14-cv-02196 (D.N.J. filed May 16, 2014) controls, owns, operates or uses the servers that serve

MyFreeNubilestube.com or owns the content hosted thereon.

35. I am familiar with the Exxxotica Expo. It is a national convention hosted in several locations throughout the year, including New Jersey, Chicago, and Florida. The attendance and the sponsorship is international and not directed towards any geographic region.

36. Prior to the initiation of this litigation, I was unaware of any of the patents being asserted in this case. I was also unaware of any other litigation involving the asserted patents prior to the initiation of this litigation. Neither I nor any of the other Defendants in this case hired counsel in this case until after litigation was initiated.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury, under the laws of the United States, that the foregoing is true and correct to the best of my knowledge.

L. Radvinsky

Leonid Radvinsky

Dated: September 22, 2014

Sworn to before me this 22 day
of September, 2014

[Signature]

My Commission expires: 8-15-17

